

(corrected)
**GENOA TOWNSHIP
ZONING BOARD OF APPEALS
JULY 9, 2002**

MINUTES

A regular meeting of the Zoning Board of Appeals was called to order by Chairman Staley at 7:00 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for the transaction of business: Rick Staley, Chris Hensick, Jean Ledford and Judy Stornant. Also present were Township Zoning Administrator Adam VanTassell and approximately 20 persons in the audience.

Moved by Ledford, supported by Hensick, to approve the Agenda as presented. The motion carried unanimously.

02-24...A request by John Edwards, Section 22, 3671 Highcrest, is for a 4'6" waterfront variance with a 33 foot setback to construct a deck.

A Call to the Public was made with the following response: Andrew Warner - I am a NorthShore resident and am concerned with ordinance conformity. Would this petitioner have requested and been granted a variance prior to construction. This home is out of character with the neighborhood and I am requesting denial.

Dale Cooper (Attorney for the petitioner) - There are well over 100 homes that can view this property from the other side of the lake, yet no one but Mr. Warner is complaining. Hensick - The size of this lot does not allow for a variance. The request is self-imposed. VanTassell - The plans submitted reflected the deck. However, the distance to the water could not be determined on those plans showing the deck. Cooper - This is a relatively narrow lot. We needed room for the parking. There are now pylons 100' into the ground. Where it got screwed up was when the builder didn't put the porch on the site plan. Your denial would change the aesthetics of the building. We are not asking for undue hardship due to economic reasons.

Moved by Hensick, supported by Ledford, to deny the request sought since no practical difficulty or hardship or practical difficulty was presented. The motion carried unanimously. (Note: The survey that was provided this evening was returned to the petitioner.)

02-26...A request by Heileman Signs, Section 6, 2798 E. Grand River, is for a sign variance regarding height, total square feet allowed and the number of signs allowed for Krug Ford.

A Call to the Public was made with no response. A petition was received from eight residents requesting denial. Mr. Krug - All "Krug" banner signs will be removed.

Hensick - The "used car" sign is not noted in your petition. It is located on the office trailer in the middle of the used car lot. Krug - We have no problem with that. We have cleaned it up considerably. Heilman - Reference was made to the zoning ordinance that allows for a second pole sign for the used car lot. Van Tassell - We would need to be in possession of some delineation of the sales area that we could review on site. Staley - There is no hardship or practical difficulty to support your request. Krug - What can we do to make it more acceptable. Staley - Meet the standards of the Township Ordinance. A call to the public was made with no response. Staley - Any action we take would be contingent upon removal of the used car sign on the office and the removal of the customer parking sign on the west side of the building. This board is also concerned with noise and light pollution. The paging system appears to be a problem. Krug requested that the petition be tabled. Moved by Ledford, supported by Hensick, to table until the 08-20-02 regular meeting of the Zoning Board. The motion carried unanimously.

02-29...A request by Enterprise Rent-A-Car, Section 5, 3101 E. Grand River, request for a variance to allow a sign to be placed in the right-of-way.

A Call to the Public was made with no response. Staley - The hardship or practical difficulty must be related to the land. Petitioner - We would lose parking if we move the sign. Hensick - This is a dangerous intersection. This sign is larger than the previous sign and obstructs the view with regard to ingress and egress off Char Ann. I will not support a request to place the sign into the setback. Moved by Hensick, supported by Ledford, to deny the variance since the petitioner presented no practical difficulty or hardship. The motion carried as follows: Ayes - Hensick, Ledford and Stornant. Nay - Staley.

02-30...A request by Michael Fleming, Section 22, 4011 Highcrest, is for a 3-foot side yard variance with a 7-foot setback and a 28-foot rear yard variance with a 12-foot setback to construct an attached garage.

A Call to the Public was made with no response. The property was not staked. (Note: Any future action of the Zoning Board would be contingent upon removal of the existing garage and shed.) Moved by Ledford, supported by Stornant, to table the petition until the next regular meeting of the Zoning Board. The motion carried unanimously.

02-31...A request by Patricia Crockett, Section 10, 5312 Dickson, is for an 8-foot rear yard variance with a 32-foot setback to construct a sunroom.

A Call to the Public was made with the following response: Joyce - I am in favor of the request. Moved by Hensick, supported by Stornant, to grant the 8' rear yard variance for construction of a sunroom, according to the plans submitted. The practical difficulty is the location of the existing home and deck. This would allow the expansion of a nonconforming structure with an unusually small lot. The motion carried unanimously.

02-32...A request by Timothy Brown, Section 11, 1785 Hughes Road, is for an 8-foot side yard variance with a 2-foot setback to construct an addition.

A Call to the Public was made with the following response: Alicia Zemper - I have no objection to the request. Linda Stammersky - This addition will be a great improvement to the neighborhood. Moved by Hensick, supported by Stornant, to grant a 7' side yard variance to allow construction of an attached garage with a second floor living space. Further, the dimension of the improvement will be consistent with the Land Use Permit dated 06-14-02. The practical difficulty is the location of the existing structure in relation to the boundary as well as the exceptional narrowness of the existing property. The motion carried unanimously.

02-33...A request by Charles Smith, Section 9, 1206 Sunrise Park, is for a 6-foot side yard variance with a 4-foot setback to construct an addition.


A Call to the Public was made with no response. Moved by Hensick, supported by Ledford, to grant a 6' side yard variance to a legal nonconforming home for the extension of a 2nd floor dormer, with the understanding that the dormer will extend no further than the edge of the garage wall where it meets the living space. The motion carried unanimously.

02-34...A request by Jeff Couch, Section 34, 5362 Brighton Road, is for a 30 foot front yard variance with a 20 foot setback to construct an accessory structure, to allow an accessory structure to be placed in the front yard, and to allow for a size variance.

A Call to the Public was made with the following response: Michael McGivney (Attorney for Phil Huszar) - My client is opposed to the variance. His position is that there is no reason the structure cannot be moved back to where the existing shed is located. No hardship or practical difficulty exists related to this parcel. Moved by Hensick, supported by Ledford, to deny the request since no hardship or practical difficulty exists. The motion carried unanimously.

Moved by Ledford, supported by Hensick, to approve the Minutes of the June 11, 2002 regular meeting of the Zoning Board of Appeals as presented. The motion carried unanimously.

The regular meeting of the Zoning Board was adjourned at 10:00 p.m.


Paulette A. Skolarus
Genoa Township Clerk